

**THE MINUTES OF THE CITY COUNCIL MEETING HELD  
MONDAY, APRIL 18, 2016 AT 3:00 P.M.**

The Meeting was called to order at 3:00 p.m. Present: Council Chair Fellers; Council Members: Camp, Christensen, Eskridge, Lamm, Raybould; City Clerk: Teresa Meier; Absent: Gaylor Baird.

Council Chair Fellers announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. He asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

**READING OF THE MINUTES**

CAMP Having been appointed to read the minutes of the City Council proceedings of April 11, 2016, reported having done so, found same correct.

Seconded by Christensen & carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

**ANNUAL MAYOR'S AWARD OF EXCELLENCE**

Mayor Chris Beutler came forward to present the Mayor's Award of Excellence for the month of February, 2016. The award was presented to a team of Police Officers from the Central Investigation Section. Investigator Tyler Cooper and Investigator Eric Messersmith. Investigator Cooper and Investigator Messersmith were nominated by Sargent Luke Wilkie in the category of productivity and safety for the work they did in solving several robberies in the last few months. Between October and December, 2015 Investigators Cooper and Messersmith looked into a number of high profile crimes. The two were able to clear an attempted robbery in October with information from initial arrests. They were able to clear several more cases in short order. Built on their work they were able to create probable cause to arrest a known gang member from Omaha with a significant criminal history who had recently come to Lincoln and committed a number of armed robberies at convenient stores. Due to Investigators Cooper and Messersmith this individual is now in custody on a number of robbery charges and related gun charges. Mayor Beutler stated that our community was indeed a safer place. Sargent Wilkie wrote that the quality of police work done by these two Investigators is such that cases will likely be disposed by guilty pleas rather than trials. Sargent Wilkie added this was phenomenal police work.

Brian Jackson, Lincoln Police Department Assistant Chief, came forward and stated all officers have the opportunity to rotate on and off the street. Several years ago Investigator Cooper and Messersmith were in uniform and had the opportunity to go into the criminal division, and answer phones. The rotation allows officers to learn new skills and really develop. Mr. Jackson stated that in a few years these two investigators will have the opportunity to rotate back on the street and they can take the skills they have learned and apply it as a uniform officer. This gives the Lincoln Police Department an opportunity to better serve the community. Mr. Jackson stated to Investigators Cooper and Messersmith that it was greatly appreciated, and they set examples for everyone else.

Eric Messersmith, Lincoln Police Department Investigator, came forward and thanked the Mayor and the City Council for their time and the recognition. Investigator Messersmith introduced his wife, and two sons.

Tyler Cooper, Lincoln Police Department Investigator, came forward and thanked the Mayor and the City Council. Investigator Cooper introduced his wife, mother, and son.

**PUBLIC HEARING**

APPLICATION OF MAGALEX CO., LLC DBA PINOT'S PALETTE FOR A CLASS I LIQUOR LICENSE AT 3900 YANKEE HILL ROAD, SUITE 127

MANAGER APPLICATION OF JOHN C. COOK FOR MAGALEX CO., LLC DBA PINOT'S PALETTE AT 3900 YANKEE HILL ROAD, SUITE 127 - John Cook, applicant, came forward to take the oath and request approval. Discussion followed.

This matter was taken under advisement.

APPLICATION OF HOME-GROWN INDUSTRIES OF LINCOLN, LLC DBA MELLOW MUSHROOM FOR A CLASS I LIQUOR LICENSE AT 601 R STREET #110

APPLICATION OF HOME-GROWN INDUSTRIES OF LINCOLN, LLC DBA MELLOW MUSHROOM FOR A CLASS E ENTERTAINMENT DISTRICT LIQUOR LICENSE AT 601 R STREET #110

MANAGER APPLICATION OF BRIAN J. HAMILTON FOR HOME-GROWN INDUSTRIES OF LINCOLN, LLC DBA MELLOW MUSHROOM AT 601 R STREET #110 - Larry Albers, Attorney, came forward to take the oath and request approval. Mr. Albers stated at the time the letter was submitted Mr. Hamilton had not taken his required training, but has since completed all training required.

**REGULAR MEETING**  
**APRIL 18, 2016**  
**PAGE 538**

Brian Hamilton, 805 Jeanie Avenue, Apartment 13, Bellevue Nebraska, applicant, came forward requesting approval. Mr. Hamilton confirmed that he has taken all manager alcohol required trainings, which was completed on April 14, 2016.

This matter was taken under advisement.

APPLICATION OF OMAHA EXPOSITION & RACING FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 45 FEET BY 80 FEET AND APPROXIMATELY 25 FEET BY 70 FEET AT LINCOLN RACE COURSE AT 7055 SOUTH 1<sup>ST</sup> STREET ON MAY 6, 7 & 21, JUNE 11, SEPTEMBER 8, AND NOVEMBER 5, 2016 BETWEEN 7:00 A.M. AND 2:00 A.M. - Kristy Harris, General Manager Lincoln Race Course, applicant, 7055 S. 1st Street, Lincoln, Nebraska, applicant, came forward requesting approval.

This matter was taken under advisement.

APPLICATION OF JUNTO, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 120 FEET BY 180 FEET AND AN INDOOR AREA MEASURING APPROXIMATELY 60 FEET BY 90 FEET AT THE SHOPPES AT PIEDMONT AT 1265 SOUTH COTNER ON JUNE 4, 2016 BETWEEN 5:00 P.M. AND 11:00 P.M.

APPLICATION OF PIEDMONT HOSPITALITY FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 120 FEET BY 180 FEET AT THE SHOPPES AT PIEDMONT AT 1265 SOUTH COTNER ON JUNE 4, 2016 BETWEEN 5:00 P.M. AND 11:00 P.M.

LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 60 FEET BY 90 FEET AT THE SHOPPES AT PIEDMONT AT 1265 SOUTH COTNER ON JUNE 4, 2016 BETWEEN 5:00 P.M. AND 11:00 P.M.

APPLICATION OF DEER SPRINGS WINERY, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 120 FEET BY 180 FEET AT THE SHOPPES AT PIEDMONT AT 1265 SOUTH COTNER ON JUNE 4, 2016 BETWEEN 5:00 P.M. AND 11:00 P.M. - Brian Wallingford, 2230 N. 60th, Lincoln, Nebraska, applicant, came forward requesting approval. Mr. Wallingford stated the current diagram that was received shows 6 parking spaces over what is required. Mr. Wallingford stated that he would not use those 6 parking spots for this event. Mr. Wallingford stated that there would be a total of 14 wineries who are applying for a license to serve wine. Discussion Followed.

This matter was taken under advisement.

APPLICATION OF GLACIAL TILL VINEYARD & WINERY, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 10 FEET BY 10 FEET AT LINCOLN HAYMARKET FARMERS MARKET AT CANOPY STREET AND Q STREET ON MAY 7, 14, 21 & 28; JUNE 4, 11, 18 & 25; JULY 2, 9, 16, 23 & 30; AUGUST 6, 13, 20 & 27; SEPTEMBER 3, 10, 17 & 24; AND OCTOBER 1, 8 & 15, 2016 BETWEEN 8:00 A.M. AND NOON

APPLICATION OF GLACIAL TILL VINEYARD & WINERY, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 10 FEET BY 10 FEET AT OLD CHENEY ROAD FARMERS MARKET AT 5500 OLD CHENEY ROAD ON APRIL 24; MAY 1, 8, 15, 22 & 29; JUNE 5, 12, 19 & 26; JULY 3, 10, 17, 24 & 31; AUGUST 7, 14, 21 & 28; SEPTEMBER 4, 11, 18 & 25; AND OCTOBER 2, 9, 16, 23 & 30, 2016 BETWEEN 10:00 A.M. AND 2:00 P.M. - Tim Murman, Glacia Till Vineyard and Winery, applicant, came forward requesting approval. Discussion followed.

This matter was taken under advisement.

WAIVER NO. 16001 - APPLICATION OF BANG THI NGUYEN AND TRUYEN N. PHAM TO WAIVE THE ADDITIONAL PARKING REQUIRED BY A CHANGE IN USE FROM VACANT COMMERCIAL TO RESTAURANT, PURSUANT TO SECTION 27.67.030(F) OF THE LINCOLN MUNICIPAL CODE, ON PROPERTY GENERALLY LOCATED AT 2708 Y STREET - Ed Malk, 8033 Northshore Drive, came forward in support. Mr. Malk stated they did a parking evaluation of the parking lot and at the time of the evaluation it was noted they had 17 cars in the parking lot which is far below maximum capacity. Mr. Malk confirmed within a four day evaluation they noted no cars were parking behind the business which is the residential parking area. Based off their evaluation, it shows their customers are parking along the north side of Y Street.

Truyen Pham, applicant, came forward requesting approval.

Carl Eskridge, Council Member, inquired about the number of spaces the business currently has.

Mr. Malk clarified that there are currently 22 spaces and the requirement is for 30 spaces based off every 100 square foot.

Russell Erwin, President Clinton Neighborhood Organization, 3274 Merrill Street, came forward in support. Discussion followed.

Marti Lee, Neighbor Works Lincoln, 6435 Lexington, Lincoln Nebraska, came forward in support. Ms. Lee stated they have worked with the owner and have spoke to other business in the neighborhood and have also received support from them.

Jon Camp, Council Member, asked the Planning Department to come forward and describe some requirements that would be in place and what the observations are of the request.

David Carey, Planning Department, came forward and stated the current regulation stated that the current standard should be one parking spot to every 600 square feet for the non-restaurant uses that could go into the area. The requirement for restaurants is 1 parking spot for every 100 square foot. Mr. Carey states the Planning Department is in support.

Mr. Camp asked if there could be any issue in the future if the business owner chose to expand further.

Mr. Carey confirmed the Planning Department also took this under advisement. Mr. Carey stated there is an addition bay that is not yet occupied, and if that bay were to be occupied at some point there should still be enough room for the business and the parking. Mr. Carey stated the Planning Department felt they have the capacity. Mr. Carey stated they also looked at the parking allowed on the street and the residence being able to walk from their home to the restaurant, which is what they would like to see in the older parts of the neighborhoods. Discussion followed.

This matter was taken under advisement.

CHANGE OF ZONE 16007 - APPLICATION OF PADEN DALY FOR A CHANGE OF ZONE FROM R-1 RESIDENTIAL DISTRICT TO R-2 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT 4811 BRADOCK COURT. - David Carey, Planning Department, came forward and stated the applicant is aware that there are a number of steps to get this approved, and this is only step one.

This matter was taken under advisement.

ANNEXATION 16003 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 19.37 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 33<sup>RD</sup> STREET AND WILDERNESS HILLS BOULEVARD. (RELATED ITEMS: 16-35, 16-36)  
CHANGE OF ZONE 16009 - APPLICATION OF LINCOLN FEDERAL BANCORP FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 33<sup>RD</sup> STREET AND WILDERNESS HILLS BOULEVARD. (RELATED ITEMS: 16-35, 16-36) - David Carey, Planning Department, came forward and stated this is another phase of the Wildneress Hills.

This matter was taken under advisement.

## **COUNCIL ACTION**

### **REPORTS OF CITY OFFICERS**

APPROVING THE ASSESSMENT RESOLUTION FOR COLLEGE VIEW BUSINESS IMPROVEMENT DISTRICT AND ASSESSING THE COST AGAINST THE BENEFITTED PROPERTIES - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89622

Business Improvement District Act  
College view business improvement district

Lincoln, Nebraska, April 18, 2016

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska, that:

1. The cost of providing for the maintenance, repair and reconstruction of public improvements and facilities in the College View Business Improvement District including:
  - a. Maintenance of the irrigation system including Spring start-up and Fall shut-off;
  - b. Removal of litter from sidewalks, planting areas and beautification areas in the South 48th Street right-of-way;
  - c. Removal of trash from the South 48th Street trash receptacles;
  - d. Replacement, as needed, of street furniture, planters, ornamental lights and trash receptacles;
  - e. Care and maintenance of all landscaping to ensure plant health and appearance and create a safe environment;
  - f. Monitoring quantity of water applied and perform adjustments to controller and head direction and flow as necessaryincluding the employment of or contracting for personnel, to provide for any service as may be necessary or proper to carry out the purposes of the Business Improvements District Act and cost incidental thereto, be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked "Proposed Distribution of Assessment of the College View Business Improvement District" and made a part hereof;
2. The cost of said activities is the sum of \$16,537.50.
3. The property set forth in the proposed Distribution of Assessment is specially benefitted by such activities and improvement.
4. Each piece and parcel of property described is specially benefitted in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said activities and improvements.

**REGULAR MEETING  
APRIL 18, 2016  
PAGE 540**

5. The cost of said activities and improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of the College View Business Improvement District which is attached hereto and incorporated herein as Exhibit 1.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

AND BE IT FURTHER RESOLVED that the City Council sit as Board of Equalization for the purpose of equalizing said assessments on the 25<sup>th</sup> day of April, 2016, at 5:30 p.m., and on the \_\_\_\_ day of \_\_\_\_\_, 2016, at \_\_\_\_ m., with adjournments from day to day until the work of equalizing said assessments shall be completed.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPROVING THE ASSESSMENT RESOLUTION FOR HAVELOCK BUSINESS IMPROVEMENT DISTRICT AND ASSESSING THE COST AGAINST THE BENEFITTED PROPERTIES - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89623

Business Improvement District Act  
Havelock Business Improvement District

Lincoln, Nebraska, April 18, 2016

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska, that:

1. The cost of providing for the maintenance of certain public facilities in the Havelock Business Improvement District including:

- a. Replacing of all landscaping followed by care and maintenance of said landscaping to include watering, fertilizing, weeding, pruning, spraying, mulching, and removal of dead plants, shrubs and trees as necessary;
- b. Installation and maintenance of irrigation system for landscaping including seasonal shut off in the fall and startup in the spring;
- c. Removal of trash from trash and cigarette receptacles;
- d. Removal of litter from sidewalks, planting beds, planting areas, and the Pedestrian Walk Way on the north side of Havelock Avenue between 62nd and 63rd Streets;
- e. Maintenance of street furniture, planters, ornamental lights, and trash and cigarette receptacles;
- f. Snow removal

including the employment of or contracting for personnel, to provide for any service as may be necessary or proper to carry out the purposes of the Business Improvements District Act and cost incidental thereto, be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked "Proposed Distribution of Assessment of the Havelock Business Improvement District" and made a part hereof;

2. The cost of said activities is the sum of \$13,567.05.

3. The property set forth in the proposed Distribution of Assessment is specially benefitted by such activities and improvement.

4. Each piece and parcel of property described is specially benefitted in the amount set forth herein, and no property is taxed more than the special benefits accruing thereto by reason of said activities and improvements.

5. The cost of said activities and improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of the Havelock Business Improvement District which is attached hereto and incorporated herein as Exhibit 1.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

AND BE IT FURTHER RESOLVED that the City Council sit as Board of Equalization for the purpose of equalizing said assessments on the 25<sup>th</sup> day of April, 2016, at 5:30 p.m., and on the \_\_\_\_ day of \_\_\_\_\_, 2016, at \_\_\_\_ m., with adjournments from day to day until the work of equalizing said assessments shall be completed.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPROVING THE ASSESSMENT RESOLUTION FOR NORTH 27<sup>TH</sup> STREET MAINTENANCE BUSINESS IMPROVEMENT DISTRICT AND ASSESSING THE COST AGAINST THE BENEFITTED PROPERTIES - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89624

Business Improvement District Act  
North 27th Street Maintenance Business Improvement District

Lincoln, Nebraska, April 18, 2016

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska, that:

1. The cost of providing for the maintenance of certain public facilities in the North 27th Street Maintenance Business Improvement District including:

- a. Litter and refuse removal from sidewalks, planting areas, and beautification areas within the public right-of-way;
  - b. Care and maintenance, including replacement, of all landscaping, including watering, fertilizing, weeding, pruning, spraying, and removal and replacement of dead plantings;
  - c. Maintenance (excluding repair) of sidewalks;
  - d. General maintenance of median signs including repair and repainting;
- including the employment of or contracting for personnel, to provide for any service as may be necessary or proper to carry out the purposes of the Business Improvements District Act and cost incidental thereto, be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked "Proposed Distribution of Assessment of the North 27th Street Maintenance Improvement District" and made a part hereof;
2. The cost of said activities is the sum of \$3,537.54.
  3. The property set forth in the proposed Distribution of Assessment is specially benefitted by such activities and improvement.
  4. Each piece and parcel of property described is specially benefitted in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said activities and improvements.
  5. The cost of said activities and improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of the North 27th Street Maintenance Improvement District which is attached hereto and incorporated herein as Exhibit 1.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

AND BE IT FURTHER RESOLVED that the City Council sit as Board of Equalization for the purpose of equalizing said assessments on the 25<sup>th</sup> day of April, 2016, at 5:30 p.m., and on the \_\_\_\_ day of \_\_\_\_\_, 2016, at \_\_\_\_ m., with adjournments from day to day until the work of equalizing said assessments shall be completed.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPROVING THE ASSESSMENT RESOLUTION FOR SOUTH STREET BUSINESS IMPROVEMENT DISTRICT AND ASSESSING THE COST AGAINST THE BENEFITTED PROPERTIES - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89625

Business Improvement District Act  
South Street Business Improvement District

Lincoln, Nebraska, April 18, 2016

- BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska, that:
1. The cost of providing for the maintenance of certain public facilities in the South Street Business Improvement District including:
    - a. Maintenance of the irrigation system including Spring start-up and Fall shut-off;
    - b. Removal of litter from sidewalks, median planting beds, planting areas in the South Street right-of-way and the 14th Street plaza area;
    - c. Removal of trash from the 14th Street plaza area trash receptacles;
    - d. Replacement, as needed, of street furniture, planters, ornamental lights and trash receptacles;
    - e. Care and maintenance of all landscaping, including watering, fertilizing, weeding, pruning, spraying, mulching and removal and replacement of dead plants and shrubs and trees; including the employment of or contracting for personnel, to provide for any service as may be necessary or proper to carry out the purposes of the Business Improvements District Act and cost incidental thereto, be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked "Proposed Distribution of Assessment of the South Street Business Improvement District" and made a part hereof;
  2. The cost of said activities is the sum of \$13,078.64.
  3. The property set forth in the proposed Distribution of Assessment is specially benefitted by such activities and improvement.
  4. Each piece and parcel of property described is specially benefitted in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said activities and improvements.
  5. The cost of said activities and improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of the South Street Business Improvement District which is attached hereto and incorporated herein as Exhibit 1.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

AND BE IT FURTHER RESOLVED that the City Council sit as Board of Equalization for the purpose of equalizing said assessments on the 25<sup>th</sup> day of April, 2016, at 5:30 p.m., and on the \_\_\_\_ day of \_\_\_\_\_, 2016, at \_\_\_\_ m., with adjournments from day to day until the work of equalizing said assessments shall be completed.

**REGULAR MEETING  
APRIL 18, 2016  
PAGE 542**

Introduced by Jon Camp  
Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen,  
Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPROVING THE ASSESSMENT RESOLUTION FOR UNIVERSITY PLACE MAINTENANCE BUSINESS  
IMPROVEMENT DISTRICT AND ASSESSING THE COST AGAINST THE BENEFITTED  
PROPERTIES - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption  
for approval:

A-89626

Business Improvement District Act  
University Place Maintenance Business Improvement District

Lincoln, Nebraska, April 18, 2016

BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska, that:

1. The cost of providing for the maintenance of certain public facilities in the University  
Place Maintenance Business Improvement District including:
  - a. Litter and refuse removal from sidewalks, planting areas, and beautification areas within  
the public right-of-way;
  - b. Care and maintenance, including replacement, of all landscaping, including watering,  
fertilizing, weeding, pruning, spraying, and removal and replacement of dead plantings;
  - c. Maintenance (excluding repair) of sidewalks;
  - d. General maintenance of median signs including repair and repainting;including the employment of or contracting for personnel, to provide for any service as may be necessary o  
proper to carry out the purposes of the Business Improvements District Act and cost incidental thereto, be  
and the same is hereby assessed upon the property in said district described in the proposed Distribution of  
Assessment attached to this resolution, marked "Proposed Distribution of Assessment of the University  
Place Maintenance Improvement District" and made a part hereof;
2. The cost of said activities is the sum of \$10,050.52.
3. The property set forth in the proposed Distribution of Assessment is specially benefitted  
by such activities and improvement.
4. Each piece and parcel of property described is specially benefitted in the amount set forth  
therein, and no property is taxed more than the special benefits accruing thereto by reason of said activities  
and improvements.
5. The cost of said activities and improvements is hereby apportioned and assessed upon the  
several pieces and parcels of property in said district in the manner and amount set forth in the proposed  
Distribution of Assessment of the University Place Maintenance Improvement District which is attached  
hereto and incorporated herein as Exhibit 1.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this  
resolution in the minutes of the City Council with the vote thereon by yeas and nays.

AND BE IT FURTHER RESOLVED that the City Council sit as Board of Equalization for the  
purpose of equalizing said assessments on the 25<sup>th</sup> day of April, 2016, at 5:30 p.m., and on the \_\_\_\_ day of  
\_\_\_\_\_, 2016, at \_\_\_\_ m., with adjournments from day to day until the work of equalizing said  
assessments shall be completed.

Introduced by Jon Camp  
Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen,  
Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTION AND ORDINANCES PASSED  
BY CITY COUNCIL ON APRIL 4, 2016 - CLERK presented said report which was placed on file in the  
Office of the City Clerk. **(27-1)**

REPORT FROM CITY TREASURER OF FRANCHISE FEES FROM BLACK HILLS CORPORATION  
FOR THE MONTH OF FEBRUARY, 2016 - CLERK presented said report which was placed on file in the  
Office of the City Clerk. **(16-1)**

REPORT FROM CITY TREASURER OF 911 SURCHARGES FOR THE MONTH OF MARCH, 2016 -  
CLERK presented said report which was placed on file in the Office of the City Clerk. **(20-02)**

**PETITIONS & COMMUNICATIONS**

INFORMAL PETITION TO CREATE AN ALLEY GRADING AND GRAVELING DISTRICT FROM  
48<sup>TH</sup> TO 51<sup>ST</sup> STREETS BETWEEN HIGH & SHERMAN STREETS SUBMITTED BY RAYMOND D.  
CRISP - CLERK presented said report which was referred to Public Works. .

INFORMAL PETITION TO CREATE A WATER DISTRICT IN ALMIRA LN., FROM 70<sup>TH</sup> STREET TO THE  
COUNTRY MEADOWS NEIGHBORHOOD, SUBMITTED BY COREY TALLMAN - CLERK  
presented said report which was referred to Public Works.

SETTING THE HEARING DATE OF MONDAY, MAY 2, 2016 AT 3:00 P.M. ON THE APPLICATION OF COUNTRYVIEW STUDIOS INC DBA ART & SOUL FOR A DELETION OF THEIR OUTDOOR AREA FROM THEIR LICENSED PREMISE AT 5740 HIDCOTE DRIVE - CLERK read the following resolution introduced by Jon Camp, who moved its adoption:

A-89627 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 2, 2016, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Countryview Studios Inc dba Art & Soul for a deletion of their outdoor area from their licensed premise at 5740 Hidcote Drive.  
If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

SETTING THE HEARING DATE OF MONDAY, MAY 2, 2016 AT 3:00 P.M. ON THE APPLICATION OF FIRETHORN GOLF COMPANY LLC DBA FIRETHORN GOLF CLUB FOR AN ADDITION TO THEIR LICENSED PREMISE TO INCLUDE A SECOND CLUBHOUSE MEASURING 83' X 175', A POOL, & A TENNIS AREA MEASURING APPROX. 192' X 196' AT 9301 FIRETHORN LANE - CLERK read the following resolution introduced by Jon Camp, who moved its adoption:

A-89628 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 2, 2016, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Firethorn Golf Company LLC dba Firethorn Golf Club for an addition to their licensed premise to include a second clubhouse measuring 83' x 175', a pool, & a tennis area measuring approx. 192' x 196' at 9301 Firethorn Lane.  
If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

SETTING THE HEARING DATE OF MONDAY, MAY 2, 2016 AT 3:00 P.M. ON THE APPLICATION OF ARIZOLA ENTERPRISES LLC DBA ANGRY KOB FOR A CLASS C LIQUOR LICENSE AT 5250 CORNHUSKER HIGHWAY - CLERK read the following resolution introduced by Jon Camp, who moved its adoption:

A-89629 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 2, 2016, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Arizola Enterprises LLC dba Angry Kob for a Class C Liquor License at 5250 Cornhusker Highway.  
If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

SETTING THE HEARING DATE OF MONDAY, MAY 2, 2016 AT 3:00 P.M. ON THE APPLICATION OF BOURBON ENTERTAINMENT LLC DBA BOURBON THEATRE FOR A CLASS C LIQUOR LICENSE AT 1415 O STREET - CLERK read the following resolution introduced by Jon Camp, who moved its adoption:

A-89630 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 2, 2016, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Bourbon Entertainment LLC dba Bourbon Theatre for a Class C Liquor License at 1415 O Street.  
If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

SETTING THE HEARING DATE OF MONDAY, MAY 2, 2016 AT 3:00 P.M. ON THE APPLICATION OF CASEY'S RETAIL COMPANY DBA CASEY'S GENERAL STORE #2978 FOR RECONSTRUCTION OF THEIR STORE AT 4411 NORTH 27<sup>TH</sup> STREET - CLERK read the following resolution introduced by Jon Camp, who moved its adoption:

A-89631 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 2, 2016, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Casey's Retail Company dba Casey's General Store #2978 for reconstruction of their store at 4411 North 27<sup>th</sup> Street.  
If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

**REGULAR MEETING  
APRIL 18, 2016  
PAGE 544**

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

SETTING THE HEARING DATE OF MONDAY, MAY 2, 2016 AT 3:00 P.M. ON THE MANAGER APPLICATION OF JEFFREY L. HUBBARD FOR GJJRB LLC DBA THE SPIGOT AT 1624 O STREET - CLERK read the following resolution introduced by Jon Camp, who moved its adoption:

A-89632 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 2, 2016, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Manager Application of Jeffrey L. Hubbard for GJJRB LLC dba The Spigot at 1624 O Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

SETTING THE HEARING DATE OF MONDAY, MAY 2, 2016 AT 3:00 P.M. ON THE APPLICATION OF FUCOR INC DBA VENUE RESTAURANT & LOUNGE FOR A CLASS C LIQUOR LICENSE AT 2021 TRANSFORMATION DRIVE - CLERK read the following resolution introduced by Jon Camp, who moved its adoption:

A-89633 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, May 2, 2016, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Fucor Inc dba Venue Restaurant & Lounge for a Class C Liquor License at 2021 Transformation Drive.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

THE FOLLOWING WERE REFERRED TO PLANNING:

SPECIAL PERMIT NO. 16009, REQUESTED BY WINDOW WORLD, FOR THE CONSTRUCTION OF A CARPORT, ON PROPERTY GENERALLY LOCATED AT 1801 KINGS HIGHWAY.

SPECIAL PERMIT NO. 16010, REQUESTED BY ALLO COMMUNICATIONS, LLC, , FOR THE CONSTRUCTION AND OPERATION OF A FIBER OPTIC UTILITY BUILDING, ON PROPERTY GENERALLY LOCATED AT 3515 HOLMES PARK ROAD.

SPECIAL PERMIT NO. 16012, REQUESTED BY ALLO COMMUNICATIONS, LLC, FOR THE CONSTRUCTION AND OPERATION OF A FIBER OPTIC UTILITY BUILDING, ON PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF NORTH 70TH AND ADAMS STREETS.

SPECIAL PERMIT NO. 16014, REQUESTED BY ALLO COMMUNICATIONS, LLC, FOR THE CONSTRUCTION AND OPERATION OF A FIBER OPTIC UTILITY BUILDING, ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF SOUTH 17TH AND GARFIELD STREETS.

SPECIAL PERMIT NO. 16016, REQUESTED BY TNT EARTHMOVING, LLC, TO ALLOW FOR A ROCK/CONCRETE CRUSHER, ON PROPERTY GENERALLY LOCATED AT 431 A STREET.

SPECIAL PERMIT NO. 1906A, REQUESTED BY CROWN CASTLE ON BEHALF OF VERIZON WIRELESS, TO MODIFY ALLOWED ANTENNAS ON AN EXISTING PERSONAL WIRELESS FACILITY (CELL TOWER), ON PROPERTY GENERALLY LOCATED AT 2601 NORTH 70TH STREET.

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

ADMINISTRATIVE AMENDMENT NO. 16020 TO SPECIAL PERMIT NO. 06030, CHARLESTON HEIGHTS CUP, APPROVED BY THE PLANNING DIRECTOR ON APRIL 5, 2016, REQUESTED BY OLSSON ASSOCIATES, TO ADD NOTE 15 REDUCING REAR YARDS TO 10 FEET FOR DECKS AND ABOVE-GROUND POOLS ON LOTS ABUTTING OUTLOTS A, B, AND C, GENERALLY LOCATED AT NORTH 14<sup>TH</sup> STREET AND HUMPHREY AVENUE.

**LIQUOR RESOLUTIONS**

APPLICATION OF MAGALEX CO., LLC DBA PINOT'S PALETTE FOR A CLASS I LIQUOR LICENSE AT 3900 YANKEE HILL ROAD, SUITE 127 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89634 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:



That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Meagalex, Co., LLC dba Pinot's Palette for a Class "I" liquor license at 3900 Yankee Hill Road, Suite 127, Lincoln, Nebraska, for the license period ending April 30, 2016, be approved with the condition that:

1. Applicant must successfully complete the responsible beverage manager training course required by Section 5.04.035 of the Lincoln Municipal Code prior to receiving the liquor license from the City Clerk.
  2. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.
  3. The premises must comply in every respect with all city and state regulations.
- The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

MANAGER APPLICATION OF JOHN C. COOK FOR MAGALEX CO., LLC DBA PINOT'S PALETTE AT 3900 YANKEE HILL ROAD, SUITE 127 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89635 WHEREAS, Meagalex Co., LLC dba Pinot's Palette located at 3900 Yankee Hill Road, Suite 127 Lincoln, Nebraska has been approved for a Retail Class "I" liquor license, and now requests that John C. Cook be named manager;

WHEREAS, John C. Cook appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that John C. Cook be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPLICATION OF HOME-GROWN INDUSTRIES OF LINCOLN, LLC DBA MELLOW MUSHROOM FOR A CLASS I LIQUOR LICENSE AT 601 R STREET #110 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89636 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Home-Grown Industries of Lincoln, LLC dba Mellow Mushroom for a Class "I" liquor license at 601 R Street #110, Lincoln, Nebraska, for the license period ending April 30, 2016, be approved with the condition that:

1. Applicant must successfully complete the responsible beverage manager training course required by Section 5.04.035 of the Lincoln Municipal Code prior to receiving the liquor license from the City Clerk.
  2. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.
  3. The premises must comply in every respect with all city and state regulations.
- The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPLICATION OF HOME-GROWN INDUSTRIES OF LINCOLN, LLC DBA MELLOW MUSHROOM FOR A CLASS E ENTERTAINMENT DISTRICT LIQUOR LICENSE AT 601 R STREET #110 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89637 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinance, the City Council recommends that the application of Home-Grown Industries of Lincoln, LLC dba Mellow Mushroom for the issuance of an Entertainment District License to the existing Class I liquor license, located at 601 R Street #110, Lincoln, Nebraska, be approved with the condition that the following conditions run with the term of the license and any renewal:

1. The Entertainment District License area includes one commons area located on the east side of Canopy Street, commonly known as the Railyard, shown in Attachment "A".

**REGULAR MEETING  
APRIL 18, 2016  
PAGE 546**

2. In addition to the requirements or restrictions contained in Chapter 5.04 and 5.21 of the Lincoln Municipal Code, the Entertainment District Licence is subject to the following requirements or restrictions:

- a. The commons area and sidewalk café shall be designed, constructed, and operated as presented in Attachment "A" or as modified in compliance with Chapter 5.21.010.
- b. The Entertainment District License shall be bound by the restrictions and agreements contained in Resolution No. A-87257 and A-87387.
- c. The City Council retains the ability to amend, suspend, revoke, or not renew the Railyard Promotional Associate's Entertainment District designation and permit subject to Chapter 5.21.030. Should the City Council amend, suspend, revoke, or decide not to renew the designation or permit, the applicant's Entertainment District License shall be automatically amended or expire as applicable.

3. Applicant must successfully complete the responsible beverage manager training course required by Section 5.04.035 of the Lincoln Municipal Code prior to receiving the liquor license from the City Clerk.

4. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.

5. The premises must comply in every respect with all city and state regulations.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted by the City Clerk to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

MANAGER APPLICATION OF BRIAN J. HAMILTON FOR HOME-GROWN INDUSTRIES OF LINCOLN, LLC DBA MELLOW MUSHROOM AT 601 R STREET #110 - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89638 WHEREAS, Home-Grown Industries of Lincoln, LLC dba Mellow Mushroom located at 601 R Street #110, Lincoln, Nebraska has been approved for Retail Class "I" & "E" liquor licenses, and now requests that Brian J. Hamilton be named manager;

WHEREAS, Brian J. Hamilton appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Brian J. Hamilton be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPLICATION OF OMAHA EXPOSITION & RACING FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 45 FEET BY 80 FEET AND APPROXIMATELY 25 FEET BY 70 FEET AT LINCOLN RACE COURSE AT 7055 SOUTH 1<sup>ST</sup> STREET ON MAY 6, 7 & 21, JUNE 11, SEPTEMBER 8, AND NOVEMBER 5, 2016 BETWEEN 7:00 A.M. AND 2:00 A.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89639 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Omaha Exposition & Racing for a special designated license to cover an outdoor area measuring approximately 45 feet by 80 feet and approximately 25 feet by 70 feet at Lincoln Race Course at 7055 South 1<sup>st</sup> Street, Lincoln, Nebraska, on May 6, 7, & 21; June 11; September 8; and November 5, 2016, between the hours of 7:00 a.m. and 2:00 a.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPLICATION OF JUNTO, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 120 FEET BY 180 FEET AND AN INDOOR AREA MEASURING APPROXIMATELY 60 FEET BY 90 FEET AT THE SHOPPES AT PIEDMONT AT 1265 SOUTH COTNER ON JUNE 4, 2016 BETWEEN 5:00 P.M. AND 11:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89640 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Junto, LLC for a special designated license to cover an outdoor area measuring approximately 120 feet by 180 feet and an indoor area measuring approximately 60 feet by 90 feet at The Shoppes at Piedmont at 1265 South Cotner, Lincoln, Nebraska, on June 4, 2016, between the hours of 5:00 p.m. and 11:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPLICATION OF PIEDMONT HOSPITALITY FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 120 FEET BY 180 FEET AT THE SHOPPES AT PIEDMONT AT 1265 SOUTH COTNER ON JUNE 4, 2016 BETWEEN 5:00 P.M. AND 11:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89641 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Piedmont Hospitality for a special designated license to cover an outdoor area measuring approximately 120 feet by 180 feet at The Shoppes at Piedmont at 1265 South Cotner, Lincoln, Nebraska, on June 4, 2016, between the hours of 5:00 p.m. and 11:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPLICATION OF WUNDERROSA, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 60 FEET BY 90 FEET AT THE SHOPPES AT PIEDMONT AT 1265 SOUTH COTNER ON JUNE 4, 2016 BETWEEN 5:00 P.M. AND 11:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89642 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of WunderRosa, LLC for a special designated license to cover an outdoor area measuring approximately 60 feet by 90 feet at The Shoppes at Piedmont at 1265 South Cotner, Lincoln, Nebraska, on June 4, 2016, between the hours of 5:00 p.m. and 11:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

**REGULAR MEETING  
APRIL 18, 2016  
PAGE 548**

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPLICATION OF DEER SPRINGS WINERY, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 120 FEET BY 180 FEET AT THE SHOPPES AT PIEDMONT AT 1265 SOUTH COTNER ON JUNE 4, 2016 BETWEEN 5:00 P.M. AND 11:00 P.M.

- CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89643 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Deer Springs Winery, LLC for a special designated license to cover an outdoor area measuring approximately 120 feet by 180 feet at The Shoppes at Piedmont at 1265 South Cotner, Lincoln, Nebraska, on June 4, 2016, between the hours of 5:00 p.m. and 11:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPLICATION OF GLACIAL TILL VINEYARD & WINERY, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 10 FEET BY 10 FEET AT LINCOLN HAYMARKET FARMERS MARKET AT CANOPY STREET AND Q STREET ON MAY 7, 14, 21 & 28; JUNE 4, 11, 18 & 25; JULY 2, 9, 16, 23 & 30; AUGUST 6, 13, 20 & 27; SEPTEMBER 3, 10, 17 & 24; AND OCTOBER 1, 8 & 15, 2016 BETWEEN 8:00 A.M. AND NOON - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89644 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Glacial Till Vineyard & Winery, LLC for a special designated license to cover an outdoor area measuring approximately 10 feet by 10 feet at Lincoln Haymarket Farmers Market at Canopy Street and Q Street, Lincoln, Nebraska, on May 7, 14, 21, & 28; June 4, 11, 18, & 25; July 2, 9, 16, 23, & 30; August 6, 13, 20, & 27; September 3, 10, 17, & 24; and October 1, 8, & 15, 2016, between the hours of 8:00 a.m. and noon, be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked on all parties wishing to consume 1 oz alcohol sample and purchase bottles of wine for off-sale purchase only.
2. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

APPLICATION OF GLACIAL TILL VINEYARD & WINERY, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 10 FEET BY 10 FEET AT OLD CHENEY ROAD FARMERS MARKET AT 5500 OLD CHENEY ROAD ON APRIL 24; MAY 1, 8, 15, 22 & 29; JUNE 5, 12, 19 & 26; JULY 3, 10, 17, 24 & 31; AUGUST 7, 14, 21 & 28; SEPTEMBER 4, 11, 18 & 25; AND OCTOBER 2, 9, 16, 23 & 30, 2016 BETWEEN 10:00 A.M. AND 2:00 P.M. - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89645 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Glacial Till Vineyard & Winery, LLC for a special designated license to cover an outdoor area measuring approximately 10 feet by 10 feet at Old Cheney Road Farmers Market at 5500 Old Cheney Road, Lincoln, Nebraska, on April 24; May 1, 8, 15, 22, & 29; June 5, 12, 19, & 26; July 3, 10, 17, 24, & 31; August 7, 14, 21, & 28; September 4, 11, 18, & 25; and October 2, 9, 16, 23, & 30, 2016, between the hours of 10:00 a.m. and 2:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked on all parties wishing to consume 1 oz alcohol sample and purchase bottles of wine for off-sale purchase only.
  2. Responsible alcohol service practices shall be followed.
- BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Eskridge & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

### **PUBLIC HEARING - RESOLUTIONS**

WAIVER NO. 16001 - APPLICATION OF BANG THI NGUYEN AND TRUYEN N. PHAM TO WAIVE THE ADDITIONAL PARKING REQUIRED BY A CHANGE IN USE FROM VACANT COMMERCIAL TO RESTAURANT, PURSUANT TO SECTION 27.67.030(F) OF THE LINCOLN MUNICIPAL CODE, ON PROPERTY GENERALLY LOCATED AT 2708 Y STREET - CLERK read the following resolution, introduced by Jane Raybould, who moved its adoption for approval:

A-89646 WHEREAS, Bang Thi Nguyen and Truyen N. Pham ("Owners") are the Owners of the property located at 2708 Y Street and legally described as:

Lots 7-9, except the west 8 feet, Block 7, Second East Park Addition, Lincoln, Lancaster County, Nebraska;

WHEREAS, the property is located in the B-3 Commercial District; and

WHEREAS, the Owners, pursuant to Lincoln Municipal Code § 27.67.030(f), have applied for special review and approval granting a waiver of the parking regulations for the B-3 zoning district which require the Owners change in the use of an existing vacant commercial building to a restaurant to provide 30 parking stalls based upon the ratio of one parking space per 100 square feet, which is eight more than the 22 parking stalls currently available on the property; and

WHEREAS, the building is approximately 4,697 square feet in size. The restaurant occupies 2,991 square feet, leaving 1,706 square feet of vacant space; and

WHEREAS, the City Council finds that:

a. Reducing the required parking for restaurants, with or without a special permit for the sale of alcoholic beverages for consumption on the premises, from one space per 100 square feet to one space per 200 square feet will accommodate the restaurant.

b. Reducing the required parking for other uses that are allowed in the B-3 zoning district, which have the same parking requirement of one parking space per 100 square feet, will allow the building to be fully occupied in the future without negatively impacting neighbors.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

In consideration of the findings made above, the Owners request to waive the B-3 zoning district parking regulations requiring that the change of use of the existing building on the property legally described above to provide eight additional parking stalls is hereby granted pursuant to § 27.67.030(f) of the Lincoln Municipal Code under the following conditions:

1. This approval reduces the required parking from one parking stall per 100 square feet to one parking stall per 200 square feet for a restaurant and any other future use in the existing 4,697 square foot building that is allowed in the B-3 district which has a parking requirement of one parking stall per 100 square feet.

2. The terms, conditions, and requirements of this resolution shall run with the land and be binding on the Owners and their successors and assigns.

3. The City Clerk shall file a copy of the resolution approving the waiver with the Register of Deeds, filing fees therefor to be paid in advance by the Owners.

Introduced by Jane Raybould

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

### **PUBLIC HEARING ORDINANCES - 2<sup>ND</sup> READING & RELATED RESOLUTIONS (as required)**

CHANGE OF ZONE 16007 - APPLICATION OF PADEN DALY FOR A CHANGE OF ZONE FROM R-1 RESIDENTIAL DISTRICT TO R-2 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT 4811 BRADOCK COURT - CLERK read an ordinance, introduced by Jane Raybould, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

**REGULAR MEETING  
APRIL 18, 2016  
PAGE 550**

ANNEXATION 16003 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 19.37 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 33<sup>RD</sup> STREET AND WILDERNESS HILLS BOULEVARD. (RELATED ITEMS: 16-35, 16-36) - CLERK read an ordinance, introduced by Jane Raybould, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the second time.

CHANGE OF ZONE 16009 - APPLICATION OF LINCOLN FEDERAL BANCORP FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT SOUTH 33<sup>RD</sup> STREET AND WILDERNESS HILLS BOULEVARD. (RELATED ITEMS: 16-35, 16-36) - CLERK read an ordinance, introduced by Jane Raybould, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

**PUBLIC HEARING - ORDINANCE - 3RD READING**

AMENDING CHAPTER 4.28 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE LINCOLN AIRPORT BY ADDING A NEW SECTION NUMBERED 4.28.060 ENTITLED "UNMANNED AIRCRAFT SYSTEMS; INTENT" TO STATE THE INTENT OF THE CITY COUNCIL IN ENACTING REGULATIONS FOR THE OPERATION OF UNMANNED AIRCRAFT SYSTEMS; BY ADDING A NEW SECTION NUMBERED 4.28.070 ENTITLED "UNMANNED AIRCRAFT SYSTEMS; DEFINITIONS" TO PROVIDE DEFINITIONS OF THE TERMS; BY ADDING A NEW SECTION NUMBERED 4.28.080 TO ESTABLISH OPERATING RESTRICTIONS FOR UNMANNED AIRCRAFT; AND BY ADDING A NEW SECTION NUMBERED 4.28.090 TO ESTABLISH PENALTIES - CLERK read an ordinance, introduced by Cyndi Lamm, amending Chapter 4.28 of the Lincoln Municipal Code relating to the Lincoln Airport by adding a new Section numbered 4.28.060 entitled "Unmanned Aircraft Systems; Intent" to state the intent of the City Council in enacting proposed regulations for the operation of Unmanned Aircraft Systems; by adding a new Section numbered 4.28.070 entitled "Unmanned Aircraft Systems; Definitions" to provide definitions of the terms; by adding a new Section numbered 4.28.080 to establish operating restrictions for the operation of unmanned aircraft within the City of Lincoln; and by adding a new Section numbered 4.28.090 to establish penalties, the third time.

LAMM Moved to pass the ordinance as read.

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

The ordinance, being numbered **#20318**, is recorded in Ordinance Book 31.

**ORDINANCES - 3<sup>rd</sup> READING & RELATED RESOLUTIONS**

AMENDING CHAPTER 8.20 OF THE LINCOLN MUNICIPAL CODE RELATING TO LINCOLN FOOD CODE TO ADD A NEW SECTION NUMBERED 8.20.070 TO REQUIRE FOOD HANDLERS AND FOOD MANAGERS TO PREVENT CONTAMINATION OF FOOD FROM HANDS - CLERK read an ordinance, introduced by Cyndi Lamm, amending Chapter 8.20 of the Lincoln Municipal Code relating to Lincoln Food Code to add a new section numbered 8.20.070 to require food handlers and food managers to wash their hands as specified in the Nebraska Food Code, the third time.

LAMM Moved to pass the ordinance as read.

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

The ordinance, being numbered **#20319**, is recorded in Ordinance Book 31.

**RESOLUTIONS - 1<sup>ST</sup> READING**

APPROVING JEFFREY BLIEMEISTER AS CHIEF OF POLICE EFFECTIVE APRIL 26, 2016.

APPROVING A SPONSORSHIP AGREEMENT BETWEEN THE UNIVERSITY OF NEBRASKA-LINCOLN AND THE CITY OF LINCOLN FOR FUNDING OF THE BIKE SHARE PROGRAM IN THE AMOUNT OF \$114,000.00.

APPROVING A SPONSORSHIP AGREEMENT BETWEEN BLUE CROSS BLUE SHIELD OF NEBRASKA AND THE CITY OF LINCOLN FOR FUNDING OF THE BIKE SHARE PROGRAM IN THE AMOUNT OF \$19,334.00.

APPROVING A SPONSORSHIP AGREEMENT BETWEEN LINCOLN COMMUNITY FOUNDATION AND THE CITY OF LINCOLN FOR FUNDING OF THE BIKE SHARE PROGRAM IN THE AMOUNT OF \$80,000.00.

APPROVING A SPONSORSHIP AGREEMENT BETWEEN SPREETAILE AND THE CITY OF LINCOLN FOR FUNDING OF THE BIKE SHARE PROGRAM IN THE AMOUNT OF \$160,000.00.

ADOPTING THE NEBRASKA DEPARTMENT OF ROADS' SPONSORSHIP POLICY FOR THE BIKE SHARE PROJECT.

A RESOLUTION TO ESTABLISH A SPECIAL RESERVE FUND FOR THE BIKE SHARE PROGRAM TO CAPTURE THE FINANCIAL ACTIVITY, INCLUDING REVENUES, SPONSORSHIPS, DONATIONS, USER FEES AND EXPENSES GENERATED BY ADDITIONS TO THE LINCOLN BIKE SHARE PROGRAM.

APPROVING A RESOLUTION OF INTENTION TO DISESTABLISH THE WEST HAYMARKET/DOWNTOWN CORE MANAGEMENT BUSINESS IMPROVEMENT DISTRICT, THE BOUNDARIES OF WHICH GENERALLY EXTEND ALONG THE EXTERIOR LINES OF PINNACLE ARENA DRIVE ON THE WEST AND NORTH, NORTH 8<sup>TH</sup> AND 9<sup>TH</sup> STREETS ON THE EAST, AND O AND N STREETS ON THE SOUTH, EFFECTIVE AUGUST 31, 2016.

APPROVING A RESOLUTION OF INTENTION TO DISESTABLISH THE WEST HAYMARKET/DOWNTOWN MANAGEMENT BUSINESS IMPROVEMENT DISTRICT, THE BOUNDARIES OF WHICH GENERALLY EXTEND ALONG THE EXTERIOR LINES OF PINNACLE ARENA DRIVE ON THE WEST AND NORTH, NORTH 10<sup>TH</sup> STREET ON THE EAST, AND Q, R AND N STREETS ON THE SOUTH, EFFECTIVE AUGUST 31, 2016.

**ORDINANCES - 1ST READING & RELATED RESOLUTIONS (AS REQUIRED)**

ORDINANCE APPROVING A MASTER TAX-EXEMPT LEASE/PURCHASE AGREEMENT AND PROPERTY SCHEDULE NO. 1 WITH U.S. BANCORP GOVERNMENT LEASING AND FINANCE, INC. AND A RELATED ESCROW AGREEMENT FOR GROUNDS MAINTENANCE EQUIPMENT IN THE AMOUNT OF \$556,864.37 - CLERK read an ordinance introduced by Jon Camp, an ordinance of the city of Lincoln, Nebraska authorizing and approving a master tax-exempt lease/purchase agreement and property schedule no. 1 with U.S. Bankcorp Government leasing and financing, inc. and a related escrow agreement for maintenance equipment in the amount of \$556,864.37, and related matters, the first time.

**ADJOURNMENT**

**3:46 P.M.**

CAMP Moved to adjourn the City Council Meeting of April 18, 2016.  
Seconded by Raybould & carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Lamm, Raybould; NAYS: None; ABSENT: Gaylor Baird.

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Teresa Meier, City Clerk

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Mo net J. McCullen, Office Specialist

